

**RULES
OF THE
DEPARTMENT OF PERSONNEL**

**CHAPTER 1120-8
TRAINING**

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1120-8-.01 GENERAL STATEMENT. Training is the planned development process which provides learning opportunities beneficial to and consistent with the goals of State government. Training activities must have specific learning objectives and use a course outline or agenda. Participation in training programs will be considered a work assignment.

Authority: T.C.A. 8-30-202, T.C.A. 8-30-203, T.C.A. 8-30-204 and T.C.A. 8-30-205. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988

1120-8-.02 POLICY.

- (1) Every effort will be made to improve the quality of the performance of State employees. Training programs are provided to retain qualified and competent employees through activities of in-service training initiated by the individual agency and the Departments of Finance and Administration, General Services, and Personnel.
- (2) Out-service training provides opportunities for employees in State service to attend educational, vocational, and professional institutions and facilities to receive training which meets specific departmental needs for scientific, technical, professional and administrative skills. Training activities for the purpose of reviewing for professional licensing or certification will be considered only for those licenses or certificates determined to be applicable by the Commissioner.

Authority: T.C.A. 8-30-202, T.C.A. 8-30-203, T.C.A. 8-30-204 and T.C.A. 8-30-205. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988

1120-8-.03 OUT-SERVICE TRAINING. Out-service training is a supplement to the in-service training programs. Employees are considered for out-service training only when the training requested cannot be acquired through available in-service training.

- (1) Types of Training.
 - (a) Full-time training consists of a training program for an employee that lasts for a period of more than eighty (80) work days, which may require residency at a training institution and that the employee be relieved of his regular job responsibilities. Full-time training should be for the purpose of fulfilling a specialized need which affects the on-going operation of an agency rather than enhancing an individual's generalized educational desires.

(Rule 1120-8-.03, continued)

- (b) Short-term training consists of training through seminars, short courses, educational workshops and institutes for a period of less than eighty (80) work days.
 - (c) Part-time training consists of training through courses during part of the employee's regular work hours while the employee maintains his regular job responsibilities.
 - (d) Training after work hours is formal training outside of the employee's scheduled work hours requiring the expenditure of State funds.
- (2) *Eligibility.* All State service employees are eligible for participation in out-service training activities, subject to the recommendation of the appointing authority and the approval of the Commissioner and the Commissioner of Finance and Administration.

Requests for out-service training participation will be reviewed for content and use of employee time by the Commissioner and for the availability of funds by the Commissioner of Finance and Administration.

- (3) *Approval of Training Requests.* Requests for out-service training must be approved by the Commissioner in accordance with the following criteria:
- (a) availability of in-service programs to address the described need;
 - (b) cost-effectiveness;
 - (c) job-relatedness;
 - (d) availability of programs in public (in-state) institutions;
 - (e) employee's length of service as prescribed by the Commissioner.
- (4) *Employee's Responsibility.*
- (a) *Training assignment:* Assignment to training activities carries the same obligations for attendance and performance as other work assignments.
 - (b) *Financial Responsibility.*
 - 1. An employee engaged in full-time training must agree to reimburse the State for training expenses, including salaries and wages paid by the State, if the employee does not continue employment in the State service after completion of the training for a period of twelve (12) months or twice the training time, whichever is greater.
 - 2. Such reimbursement to the State will be made in accordance with an official contract between the employee and the agency, and will be for an amount proportionate to the uncompleted period of service specified.
 - 3. The employee or his estate is not bound by this agreement if the training activity is terminated prior to completion, either at the convenience of the State or because of death, prolonged illness, disability, or similar conditions beyond the control of the employee.
 - 4. Discharge for any cause will not automatically relieve the employee of financial obligation.
 - 5. Terminal leave cannot be used to reduce the pay back period.

(Rule 1120-8-.03, continued)

6. Failure to successfully complete a training assignment because of an unexcused absence may result in reimbursement to the State for all costs incurred, including salary.
- (5) Appointing Authority's Responsibility.
- (a) The appointing authority will maintain appropriate contact with the employee in training and the institution concerned to ensure attendance and performance by the employee.
 - (b) Documentation of the successful completion of the activity will be the responsibility of each agency and will be made available to the Department.
- (6) *Payment of Salary, and Related Expenses.* Expenses which may be authorized for payment are:
- (a) Travel. The cost of travel in accordance with the State's comprehensive travel regulations.
 - (b) Tuition. If available, outside funding sources may be used in lieu of State payment.
 - (c) Non-consumable supplies. Textbooks which can be resold will become the property of the State and should be maintained in an accessible location.
 - (d) Salary. Payment in accordance with the type of training as defined below:
 1. Full-Time Training. An employee may receive a maximum of 75% of his salary during the period of full-time training. When the State requires an employee to acquire additional formal education to accomplish his duties, an employee may be compensated at full salary with the prior approval of the Commissioner and the Commissioner of the Department of Finance and Administration. If an employee should receive salary assistance through fellowships, grants, or other outside sources, the salary during the training period shall not exceed the employee's regular salary. A notarized statement of salary funding and sources must be submitted.
 2. Short-Term Training. Employees may receive their regular salary during the period of such training and may receive payment for authorized expenses.
 3. Part-Time Training. Employees may receive their regular salary during the period of such training and may receive payment for authorized expenses. In special instances, when travel is necessary or other conditions warrant, the appointing authority may recommend payment of all or part of the cost of the related travel in accordance with the comprehensive travel regulations.
 4. Training After Work Hours. Employees participating in approved training activities outside the normal work schedule are not eligible for additional salary payment. Reimbursement may be made for expenses outlined in subsection 6(d)1 and 6(d)2 and in some instances employees may receive reimbursement for travel in accordance with the comprehensive travel regulations.
- Reimbursement will only be made on courses recommended by the appointing authority and approved by the Commissioner and the Commissioner of Finance and Administration. Approval must be secured prior to the beginning of the course and reimbursement will be contingent upon successful completion documented by the attended institution.
- (7) Employment Status During Full-Time Out-Service Training.

(Rule 1120-8-.03, continued)

- (a) **Leave Status.** An employee engaged in authorized full-time training will be placed on educational leave during the period specified in the training agreement. Any extension of this leave must have prior approval. During the period of full-time out-service training, an employee will be subject to the attendance and vacation policy of the institution attended. Sick and annual leave will not be accrued for the period involved; however, previously accumulated sick and annual leave will be reinstated when the employee returns to full-time work.
 - (b) **Salary Increases and Adjustments.** Full-time out-service training will not affect the employee's consideration for any salary increase or adjustment for which the employee may be eligible.
 - (c) **Continuous Service.** Full-time out-service training will not constitute an interruption of continuous service.
 - (d) **Payroll Deductions.** All previously authorized deductions will be continued during the training period, provided the adjusted salary is sufficient for the deductions.
 - (e) **State Contributions.** Contributions from the State to the employee's insurance premiums and retirement account will continue.
- (8) **Nationally Sponsored Seminars.** One-day nationally sponsored seminars which focus on generic training, i.e., (effective supervisor, train-the-trainer, communication skills, time management, etc.) will not be approved. Out-service training should be used to meet technical training needs specific to each agency that cannot be accomplished through existing in-service programs.

Authority: T.C.A. 8-30-202, T.C.A. 8-30-203, T.C.A. 8-30-204 and T.C.A. 8-30-205. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994. Amendment filed October 25, 1995; effective February 28, 1996.

1120-8-.04 IN-SERVICE TRAINING.

- (1) **Qualification Criteria.** All in-service training to be recorded on an employee's State training transcript must meet the following criteria:
 - (a) Meet CEU standards as outlined by the National Council on the Continuing Education Unit. One (1) CEU equals ten (10) classroom contact hours.
 - (b) Address specific job skills related to the employee's current assignment.
 - (c) Be evaluated by the Department to ensure instructor quality and validity of course content.
- (2) **Eligibility.** All State service employees are eligible to participate in in-service training activities related to their current assignment. Employees of other State agencies are eligible to participate on a space available basis.
- (3) **Requesting Participation.** Interdepartmental and Departmental participation requests will be reviewed for approval by the Commissioner through the designated agency training coordinator(s).
- (4) **Approval of New In-Service Training Programs.** Requests for new in-service training programs will be reviewed for approval by the Commissioner in accordance with the following criteria:
 - (a) In-Service training provided by a source from outside the State service must be approved by the Department.

(Rule 1120-8-.04, continued)

- (b) The training should be the most economical and effective means of obtaining the necessary level of service, knowledge or job skills.
- (5) *Responsibility for Record Keeping.* An official training record or CEU transcript for employees in State service will be maintained by the Department. Requests for transcripts will be made in a manner established by the Commissioner. Requests for revisions in an employee's transcript must include a certificate or other documentation supporting the request.

Authority: T.C.A. 8-30-202, T.C.A. 8-30-203, T.C.A. 8-30-204 and T.C.A. 8-30-205. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994.

1120-8-.05 EXCLUSIONS. Participation at annual conferences, symposiums, conventions, official meetings, expositions, etc., which do not award Continuing Education Units is not a training activity. Approval by the Commissioner for such participation is not required.

Authority: T.C.A. 8-30-202, T.C.A. 8-30-203, T.C.A. 8-30-204 and T.C.A. 8-30-205. **Administrative History:** (For history prior to January 2, 1988, see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988. Amendment filed August 25, 1994; December 29, 1994.